

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DICK V. LALOWSKI,)	
)	
Plaintiff,)	Case No. 08 CV 3780
v.)	
)	Judge James B. Zagel
CITY OF DES PLAINES, Illinois, a)	
Municipal corporation; DES PLAINES)	Magistrate Judge Denlow
BOARD OF FIRE & POLICE)	
COMMISSIONERS, a municipal)	
corporation; JAMES PRANDINI,)	
individually, and as Chief of Police for)	
City of Des Plaines,)	
Defendants.)	

**MOTION TO VACATE ANY TECHNICAL DEFAULT JUDGMENTS AND FOR
AN EXTENSION OF TIME TO ANSWER OR OTHERWISE PLEAD TO
PLAINTIFF'S COMPLAINT**

Defendants, CITY OF DES PLAINES and JAMES PRANDINI, by and through their attorneys, Ellen K. Emery and Lucy B. Bednarek, of the law firm of ANCEL, GLINK, DIAMOND, BUSH, DICIANNI & KRAFTHEFER, move this Court to vacate any technical default judgments and for an extension of time to answer or otherwise plead to Plaintiff's Complaint. In support of this motion, Defendants state as follows:

1. On July 2, 2008, Plaintiff filed a complaint against the City of Des Plaines ("the City"), Police Chief James Prandini ("Prandini") and the Des Plaines Board of Fire and Police Commissioners, arising out of his employment with the City.
2. On July 22, 2008, this Court ordered that the City and Prandini were to file an answer to the complaint by August 4, 2008.
3. Counsel for the City and Prandini recently received the complaint and file for this matter.

4. As a result, the City and Prandini request that this Court vacate any technical default judgments entered against them, and request an additional thirty (30) days, to and including September 11, 2008, to answer or otherwise plead to Plaintiff's complaint.

5. This is Defendants' first request for an extension of time.

6. The parties will not be prejudiced by the granting of this motion.

WHEREFORE, Defendants, CITY OF DES PLAINES and JAMES PRANDINI, request that this Court (1) vacate any technical default judgments entered against them and (2) extend the time for Defendants to answer or otherwise plead to Plaintiff's Complaint an additional thirty (30) days, to and including September 11, 2008.

Respectfully submitted:

By: /s/ Lucy B. Bednarek
One of Defendants' attorneys

Ellen K. Emery
Lucy B. Bednarek
ANCEL, GLINK, DIAMOND, BUSH, DiCIANNI & KRAFTHEFER, P.C.
140 South Dearborn Street, Sixth Floor
Chicago, Illinois 60603
(312) 782-7606
(312) 782-0943 Fax
lbednarek@ancelglink.com

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CERTIFICATE OF SERVICE

I hereby certify that on **August 12, 2008**, I electronically filed the foregoing **MOTION TO VACATE ANY TECHNICAL DEFAULT JUDGMENTS AND FOR AN EXTENSION OF TIME TO ANSWER OR OTHERWISE PLEAD TO PLAINTIFF'S COMPLAINT**, with the Clerk of the Court using the CM/ECF system which will send notification of such filing to:

Richard J. Reimer
Keith A. Karlson
Richard J. Reimer & Associates, LLC
15 Spinning Wheel Rd., Suite 310
Hinsdale, IL 60521

Charles E. Hervas
Jason W. Rose
Zrinka Rukavina
Hervas, Condon & Bersani, P.C.
333 Pierce Road, Suite 195
Itasca, IL 60143

/s/ Lucy B. Bednarek

Ellen K. Emery
Lucy B. Bednarek
ANCEL, GLINK, DIAMOND, BUSH, DiCIANNI & KRAFTHEFER, P.C.
140 South Dearborn Street, Sixth Floor
Chicago, Illinois 60603
(312) 782-7606
(312) 782-0943 Fax
lbednarek@ancelglink.com

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